

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

UNITED STATES OF AMERICA,

Plaintiff,

v.

PATRICK D. THOMAS,

Defendant.

No. 08-30059-DRH

ORDER

HERNDON, Chief Judge:

This matter was referred to United States Magistrate Judge Clifford J. Proud for the specific purpose of conducting a change of plea for Defendant Thomas, pursuant to **28 U.S.C. § 636, LOCAL RULE 72.1(b)(2)** and Defendant Thomas' consent (Doc. 51). Pursuant to **FEDERAL RULE OF CRIMINAL PROCEDURE 11**, the change of plea hearing was held on December 31, 2008 (Doc. 52). During the change of plea, Defendant Thomas plead guilty to Count 1 of the Indictment following a thorough colloquy with Judge Proud. Thereafter, Judge Proud issued a Report and Recommendation ("the Report") recommending that the Court accept Defendant Thomas' plea of guilty (Doc. 55). In accordance with **28 U.S.C. § 636(b)(1)(B)**, the parties were allowed ten (10) days from the issuance of the Report to file written objections. As of this date, neither party has filed objections. Therefore, the Court **ADOPTS** the Report in its entirety.

Thus, it is the finding of the Court in the case of *United States v. Patrick D. Thomas*, that Defendant Thomas was fully competent and capable of entering an informed plea, that he was aware of the nature of the charges and the consequences of the plea, and that the plea of guilty was a knowing and voluntary plea supported by an independent basis in fact containing each of the essential elements of the offense. Accordingly, the Court **ACCEPTS** Defendant Thomas' guilty plea and **ADJUDGES** him **GUILTY** on Count 1 of the Indictment. The Court **REMINDS** the parties that the sentencing is set for April 3, 2009 at 10:30 a.m.

IT IS SO ORDERED.

Signed this 21st day of January, 2009.

/s/ David R. Herndon
Chief Judge
United States District Court